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THE REALIZATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS: THE REALIZATION OF THE RIGHT TO EDUCATION, INCLUDING EDUCATION IN HUMAN RIGHTS

Written statement submitted by the Federal Union of European Nationalities, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1996/31.

[8 July 1998]

GE.98-13275 (E)

The Slovak State Language Law: a legal tool for discrimination

1. Ever since the Slovak Language Law has been in force, the Government has a strong, valid and very useful instrument in its hands to enforce its discriminatory nationalistic policy.

2. When implementing the Language Law at schools in January 1997, the Ministry of Education ordered all Hungarian headmasters to issue all school certificates and school stamps exclusively in the Slovak language. Mr. Milan Ferko, the head of the Department for State Language, declared on 22 January: "Issuing school certificates in both languages strongly offends the Slovak State Language Law. Those who do so are unloyal to the Slovak State. They must [according to articles 3 and 4 of the Language Law] expect to be punished."

3. Nine Hungarian headmasters have already been dismissed including, recently, the director of the Hungarian secondary school in Bratislava, Mr. Gyula Popely and Mr. Ferenc Novák from Bátorkeszi and Mr. Lajos Varga, the headmaster of Bùcsi.

4. Parents in the two villages protested strongly against the judgement by the District Director of Education, Mr. Stanislav Lukac. In Bátorkeszi, 350 parents demonstrated. The petition addressed to the Ministry of Education and Culture, signed on 18 March by the parents of both villages, bore 2,350 signatures. The petition was also supported by the coalition of the Hungarian political parties and by the Hungarian Teachers' Union. The Hungarian Parents' Union organized demonstrations and the Hungarian MP appealed to the Slovak Parliament, but without success.

5. Mrs. Eva Slavkovskà, the Minister for Culture and Education, stated: "The school certificate in both languages (Slovak and Hungarian) is only a mirage. According to the Slovak State Language Law it is forbidden to hand out such a document. The recent dismissal of headmasters was a correct decision needing no further explanation."

6. The provisions of the Language Law (see appendix) threaten the existence of about 800 Hungarian teachers and their families, prevent future generations from the free choice of profession and act against the spirit of European integration, in which the personal freedoms of citizens should increase instead of being suppressed. The ideology behind the Slovak State Language Law, and its far-reaching consequences, remind us of the dark years of the Third Reich.

7. On 6 May 1997, the Rector of the Teachers' Training College in Nitra, Mr. Liba, declared: "The Slovak language is the only State language in the territory of the Slovak Republic. From today on, at this university, a single language, the Slovak language, may be used as a teaching language." It must be noted that the Teachers' Training College in Nitra is the only one in the whole of Slovakia where a very modest number of ethnic Hungarian teachers are trained for teaching the children of the 600,000-strong Hungarian community, and a few others for other ethnic minorities totalling 180,000 citizens. It is fundamental for ethnic communities to have a significant number of

well-educated persons in order to maintain their cultural identity. But the proportion of Hungarian University graduates is declining from year to year.

8. In 1991, 5.8 per cent of the population of Slovakia had a higher education degree whereas amongst the ethnic Hungarians the figure was only 2.9 per cent. No sign of improvement has appeared on the horizon. There are university chairs and departments where the proportion of Hungarian students is much lower than their 10.76 per cent proportion of the whole population. In the academic year 1995/96, the ratio of Hungarian students in the various faculties was 4.5 per cent in medicine, 2.7 per cent in legal studies, 1.0 per cent in military academies, 5.7 per cent in agriculture, 3.0 per cent in economics, and 0 per cent in political and international studies. These figures show that politics, diplomacy and the military are virtually closed to the minority. The situation is not much better in the fields of law or economics. In addition, the implementation of the Alternative Education System aims to gradually change the identity of the secondary schools from Hungarian to Slovak.

9. For an ethnic group, one of the most important basic issues for preserving its identity is the unlimited and free access to full-fledged education in its mother tongue. For a population of 600,000, a certain number of institutions can be economically justified. Their mother tongue is intimately linked to the landscape where they were born and where their ancestors have lived. For their identity, two subjects, history and geography, play a substantial role. To eliminate that is the obvious aim of the Alternative School System, a new tool for forced assimilation.

10. The "alternative school" concept offends the Convention on the Rights of the Child and at the same time contradicts the Slovak Constitution.

11. Looking at the logical consequences of the above facts and figures, we can see clearly how difficult it is for the Hungarian community to withstand the steadily increasing Slovak pressure. The support of the Hungarian Government is in most cases not sufficient. It explains the desperate situation of the Hungarian politicians in Slovakia and often the attitudes of the affected ethnic minority as well. We can understand why under such conditions the Hungarian communities are seeking international legal help to stop further discriminatory measures. They still hope that their patience and their uniquely peaceful legal actions will be honoured by the Governments of the EU member States, the international organizations, and by the public opinion of the western world as well. Only serious pressure on Slovakia to honour without reservations all its international obligations can prevent ethnic tension growing out of control.

Appendix

EXTRACTS OF THE SLOVAK STATE LANGUAGE LAW

"On the territory of the Slovak Republic, the Slovak language, in the form of the codified version of literary Slovak, is the State language" (art. I, para. 1).

"Interference of any kind in the codified expression of the State language that is contrary to its integrity is prohibited" (art. I, para. 2).

"State agencies and entities, organs of the regional self-governments and public institutions are required to use the State language in their dealings over the entire territory of the Slovak Republic" (art. I, para. 3). (This means that a non-Slovak mayor and non-Slovak citizens have to communicate among themselves in the codified Slovak language. An ethnic Hungarian policeman is not allowed to speak Hungarian with a Hungarian Slovak citizen. The same applies to a doctor in a State hospital. And to two young Hungarian Slovak citizens taking their vows at a wedding ceremony. Even non-Slovak employees of public bodies must communicate among themselves in the codified Slovak language during work hours.)

The State language must be used in the following cases, among others:

(a) In regulations of regional self-governments (art. I, para. 3);

(b) In all public bodies, and organs established by them, in each and every information system and inter-agency contact (art. I, para. 3);

(c) In the recorded chronicles of localities (art. I, para. 2). This applies fully to the pure Hungarian localities as well;

(d) By State officials and government employees, who are not obliged to speak the local language (art. I, para. 6).